

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

DUSA PHARMACEUTICALS, INC.,
a New Jersey corporation; and
QUEEN'S UNIVERSITY AT
KINGSTON, a Canadian academic
organization,

Plaintiffs,

v.

NEW ENGLAND COMPOUNDING
PHARMACY, INC., a Massachusetts
corporation,

Defendant.

Civil Action No. 04-12703-NMG

[JURY TRIAL DEMANDED]

AFFIDAVIT OF WILLIAM J. MCNICHOL, JR.

William J. McNichol, Jr., being duly sworn, hereby certifies that:

1. I am a partner with the law firm of Reed Smith LLP, 2500 One Liberty Place, 1650 Market Street, Philadelphia, PA 19103. I respectfully submit this affidavit in support of the Motion for Leave to Appear Pro Hac Vice pursuant to Local Rule 83.5.3(b), seeking my admission to practice before the Court in the above-captioned case.

2. I am a member of the bar states of Pennsylvania, New York and Washington, and the United States Court of Appeals for the Federal Circuit. I am registered to practice before the United States Patent and Trademark Office.

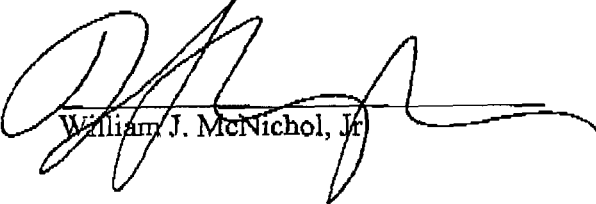
3. I am a member in good standing in all jurisdictions where I have been admitted to practice, except Washington, where I am no longer resident and am an inactive member.

4. There is no disciplinary proceeding pending against me as a member of the bar in any jurisdiction.

5. I am familiar with the Local Rules of this Court.

6. This application is made so that I may appear on behalf of Plaintiffs DUSA Pharmaceuticals, Inc. and Queen's University at Kingston.

Signed under the pains and penalties of perjury this 24th day of February, 2005.



William J. McNichol, Jr.

2516565_v1